

*Connelly*  
sheet, wherein said optional reinforcement strips possess a modulus strength greater than about 1,000 pounds per square inch;

wherein said floor mat possesses suitable flexibility to be laundered on a regular basis in a standard industrial washing machine without appreciably damaging said mat or said machine.

### **REMARKS**

Claims 18-25 are pending within this application. Claims 18 and 23 have been amended to overcome the indefiniteness rejection, which is therefore now moot. Claim 8 has now been deleted, although it was inadvertently not deleted previously. No new Claims have been added. Entry and due consideration of these amendments are thus respectfully requested.

The Office has rejected Claims 18, 20, 22, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over European Patent 702,969 to Kerr ("Kerr") in view of Heine et al. and in further view of Nagahama et al., as well as Claim 19 over the same combination of references above and further in view of Burke et al., and Claims 21 and 25 in view of the same combination as applied to Claims 18 and 23 and in further view of Hallworth. Applicants have endeavored to obtain proper declaratory evidence as requested by the Office. Unfortunately, due to geographical limitations, time constraints, and movement of personnel within the Applicants' organization, such has not been obtained to date. Applicants will continue to obtain such evidence as soon as possible.

Even without such declaratory evidence, Applicants still believe that the claimed invention is neither taught nor fairly suggested by the cited prior art. There is no specific teaching that non-woven pile substrates are any better than woven or knit types within any of the cited references.

To the contrary, Kerr and Heine both show as preferred embodiments woven substrates.

Furthermore, there are no discussions within any cited art references of the importance of either matching the shrinkage rates between rubber backing sheets and non-woven pile substrates or combining high modulus strength rubber backing sheets with such low-shrink non-woven pile substrates for any reason, let alone for the purpose discovered by Applicants, namely the ability to reduce rippling of and delamination of tufted fibers simultaneously from launderable floor mats. Although Heine does state that a preferred weight for his pile substrate is roughly 4 ounces per square yard, there is no indication that such a weight provides any low-shrink properties. Nor is there any indication that a non-woven, polyester pile substrate is required for any reason.

Heine merely states that natural or synthetic fibers within his pile substrate may be present in either woven or non-woven form, at a preferred weight of 4 ounces per square yard (roughly).

Applicants found that a specific polyester, non-woven, low-shrinkage rate pile substrate (such as Colback from Akzo Nobel) provides the best results in terms of delamination resistance of tufted fibers and matching of shrinkage rate to foam rubber backing sheets or combination with high modulus rubber backing sheets provides the best non-rippling effects after laundering as well.

There is no teaching or fair suggestion of such a critical selection anywhere within the cited prior art references. Neither Nagahama et al., Burke et al., nor Hallworth make up for this lack of teaching or fair suggestion of this critical selection of a non-woven, polyester, low-shrinkage rate, pile substrate for incorporation within a launderable floor mat. Hence, it remains Applicants' position that the present rejections are improper and therefore should be withdrawn.

## CONCLUSION

In view of all of the previous amendments and arguments, it is respectfully requested that the preceding amendments and remarks be entered and duly considered, all of the prior rejections of the present claims be withdrawn, and this application be passed on to issue.

Respectfully submitted,

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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, DC 20231, on November 27, 2002, and a postcard receipt.



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## MARKED-UP VERSION OF AMENDMENTS TO 09/128,289

IN THE CLAIMS:

--18.(Amended) A carpeted floor mat [exhibiting a reduced propensity for rippling after laundering and a reduced propensity for tufted pile delamination therefrom, said floor mat] comprising

a non-woven carpet pile substrate, said substrate a) comprising polyester fibers, b) exhibiting a heat shrinkage rate of from about 2.0 to about 2.5%, and c) weighing between 3.5 and 4.5 ounces per square yard; wherein a pile material is tufted through said substrate to form a pile surface on one side of said substrate; and

a vulcanized expanded foam rubber backing sheet, said backing sheet exhibiting a heat shrinkage rate of from about 2.0 to about 2.5%; wherein said backing sheet is integrated to the non-tufted side of the carpet pile substrate; and, optionally, comprising solid vulcanized rubber reinforcement strips present along at least one of the borders of said backing sheet;

wherein said floor mat possesses suitable flexibility to be laundered on a regular basis in a standard industrial washing machine without appreciably damaging said mat or said machine.

23.(Amended) A carpeted floor mat [exhibiting a reduced propensity for rippling after laundering and a reduced propensity for tufted pile delamination therefrom, said floor mat] comprising

a non-woven carpet pile substrate, said substrate a) comprising polyester fibers, b) exhibiting a heat shrinkage rate of from about 2.0 to about 2.5%, and c) weighing between 3.5

and 4.5 ounces per square yard; wherein a pile material is tufted through said substrate to form a pile surface on one side of said substrate; and

a vulcanized expanded foam rubber backing sheet, said backing sheet possessing a modulus strength of greater than about 1,000 pounds per square inch; wherein said backing sheet is integrated to the non-tufted side of the carpet pile substrate; and, optionally, comprising solid vulcanized rubber reinforcement strips present along at least one of the borders of said backing sheet, wherein said optional reinforcement strips possess a modulus strength greater than about 1,000 pounds per square inch;

wherein said floor mat possesses suitable flexibility to be laundered on a regular basis in a standard industrial washing machine without appreciably damaging said mat or said machine.